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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,964	02/09/2001	Chris R. Fultz	2102937-900110	8207

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EXAMINER

VIG, NARESH

ART UNIT PAPER NUMBER

3629

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,964

Applicant(s)

FULTZ, CHRIS R.

Examiner

Naresh Vig

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 2 objected to because of the following informalities:

Claims 1 and 2 recites the limitation:

“inputting into the computer system of the mover entity”.

“transmitting the customer identity, needs and appointment information file to the field sales representative”.

“transmitting the estimate”

There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claims 1 and 2 rejected under 35 U.S.C. 112, second paragraph, as being incomplete. Claims 1 and 2 recite the limitation “transmitting the customer identity, needs and appointment information file to the field sales representative”. Field sales representative is a person, and the file is transmitted to the computer system of the field sales representative.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Storch et al. US Patent 5,920,846 hereinafter known as Storch in view of an article "Portable Computing Extends The Enterprise" by Deb Navas.

Regarding claims 1 and 2, Storch teaches system and method for an automated sales method (processing service request). Storch does not teach system and method for moving and storing industry (field of use). However, Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a business choice to decide how to use design the system and method to meet business requirements.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Storch for moving and storing industry to automate the business objective (In re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958).

Storch teaches:

inputting into the computer system of the mover entity (field of use) the customer identity and needs (The order taker person 61 or customer inputs customer information into the computer order entry system 63 such as the customer's name and phone number (if applicable), address, and the type of service requested) [col. 16, line 66].

entering into the computer system of the mover entity an appointment date for the customer and the field sales representative of the mover entity (The system has computer data processing means for assigning to the service order an available appointment date and time for installation of the requested service based upon updated information indicating the availability of qualified outside technicians).

transmitting the customer identity, needs and appointment information file to the field sales representative (WFA/DO transmits a copy of the service order to technician).

Storch does not teach entering into the customer file at the customer location the details of the material to be moved. However, Navas teaches remote terminals can now access and interact with host applications, intranets, and the Internet in real time, via radio or cellular communications, effectively making the corporate information system and other data resources accessible from any location in the world.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Storch as taught by Navas to create a mobile and productive support team.

Storch does not teach processing the details of the material to be moved (e.g. gathering information to determine work load) to produce an estimate of the details for moving the material and an order for moving the material (generate an estimate).

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However, Navas teaches companies across all industries as well as government agencies have invested billions in implementing market-specific applications, such as dispatch and field service management.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Storch as taught by Navas to create a mobile and productive support team.

Storch in view of Navas teaches capability of transmitting the estimate and order to the computer of the mover entity (e.g. host computer) for further processing.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

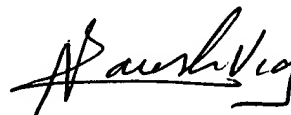
1. Borghesi et al. US Patent 5,950,169

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is 703.305.3372. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Naresh Vig', with a stylized flourish at the end.

Naresh Vig
Patent Examiner
December 3, 2004